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12 Attorney for Marcus Mattingly

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 MARCUS MATTINGLY,

19 Defendant.

20 Case No. 2:21-cr-00230-APG-VCF

21 **STIPULATION TO CONTINUE
22 SENTENCING HEARING
(Second Request)**

23 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
24 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the
25 United States of America, and Rene L. Valladares, Federal Public Defender, and Aden Kebede,
26 Assistant Federal Public Defender, counsel for Marcus Mattingly, that the sentencing hearing
currently scheduled for February 22, 2023, be vacated and continued to a date and time
convenient to the Court, but no sooner than ninety (90) days.

27 This Stipulation is entered into for the following reasons:

28 1. Defense counsel is seeking to collect documents and reports in support of
29 sentencing mitigation and needs the additional time to obtain such records.

1 2. Defendant is incarcerated and does not object to a continuance.
2 3. The parties agree to the continuance.
3 4. Additionally, denial of this request for continuance could result in a miscarriage
4 of justice. This is the second request to continue the sentencing hearing filed herein.

5 DATED this 15th day of February, 2023.

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7 RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

9 By /s/ Aden Kebede
10 ADEN KEBEDE
11 Assistant Federal Public Defender

By /s/ Melanee Smith
MELANEE SMITH
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
MARCUS MATTINGLY,
Defendant.

Case No. 2:21-cr-00230-APG-VCF-1

Based on the Stipulation of counsel and good cause appearing,

IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled on February 22, 2023, at the hour of 9:30 a.m., be vacated and continued to June 13, 2023 at the hour of 10:30 a.m. in Courtroom 6C.

DATED this 16th day of February, 2023.

UNITED STATES DISTRICT JUDGE